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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/010,973	NASH ET AL.
	Examiner	Art Unit
	Hassan Phillips	2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _31 October 2007_.

2a)☐ This action is **FINAL**.　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,2,4-20 and 22-65_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1,2,4-20 and 22-65_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is in response to communications filed October 31, 2007.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 31, 2007 has been entered.

Specification

3.   The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: applicant should make appropriate amendment of the specification by amendment of the claims so as to have clear support or antecedent basis in the specification for the "computer readable medium" recited in claims 64 and 65.

Claim Objections

4.   Claim 35 is objected to because of the following informalities: the claim language is unclear. Examiner suggests changing "the first information page" to "a first

information page" in the 4th line of the claim, and changing "a first information page" to

"the first information page" in the 5th line of the claim to clarify the claim language.

Appropriate correction is required.

5.   Claim 55 is objected to because of the following informalities: the claim

language is unclear. Examiner suggests inserting the word "to" between "system" and

"match" in the 9th line of the claim to clarify the claim language. Appropriate correction

is required.

Claim Rejections - 35 USC § 112

6.   With regards to applicants remarks filed October 31, 2007 (see pg.'s 19-

21), examiner has withdrawn the rejections to claims 1, 5, 19, 23, 35, 40, 50, 54, 64 and

65 under 35 U.S.C. 112, first paragraph.

Claim Rejections - 35 USC § 101

7.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

8.   Claims 64 and 65 are rejected under 35 U.S.C. 101 because the claimed

inventions are directed to non-statutory subject matter.

9.   With regards to claims 64 and 65 applicant has amended the claim so that

the recited "computer readable medium" no longer comprises a "storage medium". In

applicant's disclosure, the only mention of "media" involves a "distribution medium" (see

pg. 14, lines 12-14, and lines 24 and 25, also see pg. 15, lines 18-24). Thus, examiner

believes applicant intends for the "computer readable medium" to include signals. As

such, the claims are drawn to a form of energy. Energy is not one of the four categories

of invention and therefore these claims are not statutory. Energy is not a series of steps

or acts and thus is not a process. Energy is not a physical article or object and as such

is not a machine or manufacture. Energy is also not a combination of substances and

therefore not a composition of matter.

Response to Arguments

10.   Applicant's arguments with respect to claims 1, 2, 4-20, and 22-65, have

been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

11.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

12.   Claims 1, 2, 4-13, 16-20, 22-28, 31-45, 48-59, 62-65, are rejected under

35 U.S.C. 103(a) as being unpatentable over Kannan U.S. Patent Pub. No.

2001/0054064 in view of Nielsen, U.S. Patent 5,907,680.

13.   In considering claims 1 and 19, Kannan teaches an apparatus and method

comprising: determining based at least in part on content of a locator of a first

information page (i.e. page of the CS enabled web site) requested to be retrieved and

displayed on a client system, whether to provide information browsing assistance for the

first information page, amplifying information of the first information page (i.e. prompting

a customer for live customer service), said content of the locator identifying the first

information page and a location from which the first information page is to be retrieved,

(page 2, paragraph 25, page 7, paragraph 91, page 14, paragraph 185); and

conditionally providing said information browsing assistance based at least in part on

said determination, (page 2, paragraph 25, page 7, 91, page 14, paragraph 185).

Although the teachings of Kannan disclose substantial features of the claimed

invention, they fail to expressly disclose: said determining comprising analyzing the

content of the locator of the first information page to determine whether the locator

satisfies a locator based condition abstracting a plurality of locators of a plurality of

locations having information that amplifies the information of the first information page.

Nevertheless, analyzing the content of a locator of a first information page to

determine whether the locator satisfies a locator based condition abstracting a plurality

of locators of a plurality of locations having information that amplifies the information of

the first information page was well known in the art at the time of the present invention.

This is exemplified in analogous teachings where Nielsen discloses analyzing the

content of a locator of a first information page to determine whether the locator satisfies

a locator based condition abstracting a plurality of locators of a plurality of locations

having information that amplifies the information of the first information page, (col. 5,

line 66-col. 6, line 3 and col. 6, lines 50-65).

Thus, it would have been obvious to one of ordinary skill in the art to modify the

teachings of Kannan to expressly disclose said determining comprising analyzing the

content of the locator of the first information page to determine whether the locator

satisfies a locator based condition abstracting a plurality of locators of a plurality of

locations having information that amplifies the information of the first information page.

As was known in the art, this would have advantageously assisted a user in finding a

desired web page in a timely fashion, (Nielsen, col. 2, lines 14-18).

14.   In considering claims 2, 20, 36, and 51, Kannan teaches the locator

comprising a uniform resource locator (URL). See page 7, paragraph 91.

15.   In considering claims 4 and 22, Kannan teaches the locator comprising a

URL, and said locator based condition is a URL based condition for providing

information browsing assistance and said determining comprises analyzing whether

said URL satisfies the URL based condition. See page 7, paragraph 91.

16.   In considering claims 5, 23, 40, and 54, Nielsen teaches said URL based

condition comprises a URL pattern abstracting a plurality of URLs of the plurality of

locations having information that amplifies the information of the first information page,

(col. 5, line 66-col. 6, line 3 and col. 6, lines 50-65); and said analysis comprises

matching said URL against a plurality of URL patterns, (col. 3, lines 1-11, col. 6, lines

50-65). One of ordinary skill in the art would combine the teachings of Kannan with

Nielsen for reasons indicated in considering claims 1, 19, 35, and 50.

17.   In considering claims 6, 24, 41, and 55, Nielsen teaches URL pattern to

comprises a plurality of portions correspondingly stored in a plurality of nodes of a tree

data structure, with the plurality of nodes having a child leaf node specifying information

to be provided, (col. 3, lines 1-11); and said matching comprises traversing the tree data

structure, (col. 3, lines 1-11). One of ordinary skill in the art would combine the

teachings of Kannan with Nielsen, for the same reasons indicated in considering claims

5, 23, 40, and 54.

18.   In considering claim 7, the teachings of Kannan disclose a means for

downloading the tree data structure from a server system onto the client system. See

page 5, paragraph 65.

19.   In considering claim 8, the teachings of Kannan disclose a means for downloading the URL patterns and their corresponding information browsing assistance specifications from a server system onto the client system. See page 5, paragraph 65.

20.   In considering claim 9, although Kannan discloses substantial features of the claimed invention, Kannan fails to expressly disclose: downloading the URL based conditions and their corresponding information browsing assistance specifications from a server system onto the client system.

Nevertheless, Kannan does disclose a means for downloading the URL based conditions and their corresponding information browsing assistance specifications from a server system onto the client system, where Kannan discloses downloading active content onto the client system to support live customer service, (page 2, paragraph 22, page 6, paragraph 74).

Thus, if not implicit in the teachings of Kannan, it would have been apparent to one of ordinary skill in the art that the teachings of Kannan provide a means for downloading the URL based conditions and their corresponding information browsing assistance specifications from a server system onto the client system, (page 2, paragraph 22, page 6, paragraph 74). One of ordinary skill in the art would have readily recognized that having the URL based conditions and their corresponding information browsing assistance specifications at either the server or the client would be a field of use limitation, and not of patentable distinction, as having the URL based conditions and their corresponding information browsing assistance specifications at either the

server or the client would not change the functionality of the teachings of Kannan or applicants claimed invention.

21.   In considering claims 10 and 25, Kannan further teaches the information browsing assistance comprising displaying a second information page. See page 2, paragraph 25.

22.   In considering claims 11, 26, 43, and 57, Kannan teaches the second information page effectively replacing the first information page. See page 2, paragraph 25.

23.   In considering claims 12, 27, 44, and 58, Kannan teaches a second information page additionally displayed complementing a first information page. See page 2, paragraph 25.

24.   In considering claims 13, 28, 45, and 59, Nielsen teaches said second information page comprises a plurality of locators identifying a plurality of information pages and corresponding locations from which the identified information pages of said second information page are to be retrieved, (col. 6, lines 50-65). One of ordinary skill in the art would combine the teachings of Kannan with Nielsen for reasons indicated in considering claims 1, 19, 35, and 50.

25.   In considering claims 16 and 31, it is inherent in the teachings of Kannan that a request to retrieve and display the first information page is received, the request including the locator. See page 2, paragraph 22, page 7, paragraph 91.

26.   In considering claims 17, 32, 48, and 62, Kannan teaches in response to said receive of a request, notifying a monitor function of a browser helper of·said receipt, (page. 2, paragraph 22); and said monitor function, in response to receipt of said notification, notifying an analyzer function of said browser helper, which performs said determining and conditional provision of information browsing assistance, (page 7, paragraphs 83-84).

27.   In considering claims 18, 33, and 63, Kannan teaches executing the monitor function as an extension of a browser, and executing the analyzer function external to the browser. See page 7, paragraphs 83-84.

28.   In considering claim 34, Kannan teaches the apparatus being a selected one of a wireless telephone, a palm sized personal digital assistant, a notebook computer, a desktop computer, and a set top box. See Fig. 1.

29.   In considering claims 35 and 64, Kannan teaches a method and computer readable medium comprising instructions for: receiving a request from a client system for executable instructions designed to enable the client system to conditionally provide

information browsing assistance, amplifying information of a first information page (i.e.

prompting a customer for live customer service), based at least in part on content of a

locator of the first information page (i.e. page of the CS enabled web site) requested to

be retrieved and displayed, said content of the locator identifying said first information

page and a location from which said first information page is to be retrieved, (page 2,

paragraphs 22 and 25, page 7, paragraph 91, page 14, paragraph 185); and in

response, providing said client system with said requested executable instructions,

(page 2, paragraph 22).

Although the teachings of Kannan disclose substantial features of the claimed

invention, they fail to expressly disclose: said providing further based on an analyses of

the content of the locator of the first information page to determine whether the locator

satisfies a locator based condition abstracting a plurality of locators of a plurality of

locations having information that amplifies the information of the first information page.

Nevertheless, analyzing the content of a locator of a first information page to

determine whether the locator satisfies a locator based condition abstracting a plurality

of locators of a plurality of locations having information that amplifies the information of

the first information page was well known in the art at the time of the present invention.

This is exemplified in analogous teachings where Nielsen discloses analyzing the

content of a locator of a first information page to determine whether the locator satisfies

a locator based condition abstracting a plurality of locators of a plurality of locations

having information that amplifies the information of the first information page, (col. 5,

line 66-col. 6, line 3 and col. 6, lines 50-65).

Thus, it would have been obvious to one of ordinary skill in the art to modify the

teachings of Kannan to expressly disclose said providing further based on an analyses

of the content of the locator of the first information page to determine whether the

locator satisfies a locator based condition abstracting a plurality of locators of a plurality

of locations having information that amplifies the information of the first information

page. As was known in the art, this would have advantageously assisted a user in

finding a desired web page in a timely fashion, (Nielsen, col. 2, lines 14-18).

30. In considering claim 37, Kannan teaches performing a selected one of (a)

enabling the client system to determine whether the locator based condition for

providing information browsing assistance is met, and (b) enabling the client system to

provide said locator to a server system for the server system to determine for said client

system whether the locator based condition for providing information browsing

assistance is met. See page 7, paragraph 91.

31. In considering claim 38, Kannan teaches the server system being the

same server system performing the receiving and the responsive providing. See Fig.

5A, and Fig. 6.

32. In considering claim 39, Kannan teaches the locator comprising a URL

and said locator based condition is a URL based condition, (page 7, paragraph 91); and

said executable instructions designed to perform a selected one of (a) enable the client

system to determine whether said URL satisfies the URL based condition for providing

information browsing assistance, and (b) enable the client system to provide said URL

to a server system for the server system to determine for said client system whether the

locator based condition for providing information browsing assistance is met. See page

7, paragraph 91.

33.   In considering claim 42, Kannan further teaches either (a) said executable

instructions designed to enable the client system to provide said information browsing

assistance by displaying a second information page, or (b) the method further

comprising a server system providing said information browsing assistance to said client

system by causing a second information page to be displayed on said client system.

See page 2, paragraph 25.

34.   In considering claim 49, Kannan teaches either (a) said browser helper

further includes said analyzer function to perform said conditional provision of

information browsing assistance, in response to receipt of said notification, or (b) the

method further includes a server having said analyzer function to perform said

conditional provision of information browsing assistance for said client system, in

response to receipt of said notification from said client system. See page 7, paragraphs

83-84.

35.   In considering claims 50 and 65, Kannan teaches a computer readable

medium comprising instructions, and a server system comprising: storage medium

having stored therein at least a selected one of (a) first executable instructions designed

to enable a first client system to conditionally provide information browsing assistance to

itself amplifying information on a first information page (i.e. prompting a customer for

live customer service), based at least in part on content of a first locator of the first

information page (i.e. page of the CS enabled web site) requested to be retrieved and

displayed, and second executable instructions designed to provide the first client

system with said first executable instructions in response to a request by the first client

system for said first executable instructions, and (b) third executable instructions

designed to enable the server system to conditionally provide information browsing

assistance to a second client system amplifying information of a second information

page, based at least in part on content of a second locator of the second information

page requested to be retrieved and displayed for said second client system, said

content of the first and second locators identifying said first and second information

pages, and a first and a second location from which said first and second information

pages are to be retrieved respectively, (page 2, paragraph 22); and at least one

processor coupled to the storage medium to execute at least one of said second and

third executable instructions, (page 2, paragraph 22).

Although the teachings of Kannan disclose substantial features of the claimed

invention, they fail to expressly disclose: said providing further based on an analyses of

the content of the locator of the first or second information page to determine whether

the locator satisfies a locator based condition abstracting a plurality of locators of a plurality of locations having information that amplifies the information of the first or second information page.

Nevertheless, analyzing the content of a locator of a first information page to determine whether the locator satisfies a locator based condition abstracting a plurality of locators of a plurality of locations having information that amplifies the information of the first information page was well known in the art at the time of the present invention. This is exemplified in analogous teachings where Nielsen discloses analyzing the content of a locator of a first information page to determine whether the locator satisfies a locator based condition abstracting a plurality of locators of a plurality of locations having information that amplifies the information of the first information page, (col. 5, line 66-col. 6, line 3 and col. 6, lines 50-65).

Thus, it would have been obvious to one of ordinary skill in the art to modify the teachings of Kannan to expressly disclose said providing further based on an analyses of the content of the locator of the first or second information page to determine whether the locator satisfies a locator based condition abstracting a plurality of locators of a plurality of locations having information that amplifies the information of the first or second information page. As was known in the art, this would have advantageously assisted a user in finding a desired web page in a timely fashion, (Nielsen, col. 2, lines 14-18).

36.   In considering claim 52, Kannan teaches said first executable instructions

designed to enable the first client system to determine whether the first locator based

condition for providing information browsing assistance is met, and said third executable

instructions designed to enable the server system to determine for said second client

system whether the second locator based condition for providing information browsing

assistance is met See page 7, paragraph 91.

37.   In considering claim 53, Kannan teaches said first and second locators

comprising a first and second URL, respectively and said first and second locator based

conditions are a first and second URL based condition, respectively, (page 7, paragraph

91).

38.   In considering claim 56, Kannan further teaches said first executable

instructions designed to enable the first client system to provide said information

browsing assistance include instructions designed to enable the first client system to

display a second information page, (page 2, paragraph 25); and said third executable

instructions designed to enable the server system to provide said information browsing

assistance to said client system include instructions designed to enable the server

system to cause a second information page to be displayed on said client system. See

page 2, paragraph 25.

39.   Claims 14, 15, 29, 30, 46, 47, 60, 61, are rejected under 35 U.S.C. 103(a) as being unpatentable over Kannan in view of Nielsen, and further in view of Blumenthal, U.S. Patent 6,026,409, (see Applicant IDS).

40.   In considering claims 14, 29, 46, and 60, although the teachings of Kannan show substantial features of the claimed invention, they fail to expressly disclose: modifying one or more environment attributes of the browsing environment.

Nevertheless, in a similar field of endeavor Blumenthal teaches: modifying an environment attribute of a browsing environment, (col. 5, line 50 through col. 6, line 6).

Thus, given the teachings of Blumenthal, it would have been obvious to a person of ordinary skill in the art at the time of the present invention to modify the teachings of Kannan with Blumenthal in order to have the information browsing assistance comprise modifying one or more environment attributes of the browsing environment within which the determining and conditional provision of information browsing assistance are performed. This would have provided an effective means for demarcating points of interest in the browsing environment that correspond to the information browsing assistance, Blumenthal, col. 5, lines 45-47, Kannan, page 2, paragraph 19.

41.   In considering claims 15, 30, 47, and 61, Blumenthal teaches one or more environment attributes comprising one or more of a display resolution attribute, a color resolution attribute, a font selection attribute, a media player preference attribute, an add-on selection attribute, and a plug-in selection attribute. See Blumenthal, col. 5, line

50 through col. 6, line 6. One of ordinary skill in the art would modify the teachings of

Kannan with Blumenthal for the reasons indicated in consideration of claims 14, 29, 46,

and 60.

Conclusion

42.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Hassan Phillips whose telephone number is 571-

272-3940. The examiner can normally be reached on Mon-Fri (8am-5pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hassan Phillips
1/31/08